

**THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA**

**FORMA AI INC.,**

**Plaintiff,**

**v.**

**TWIC, INC.,**

**Defendant**

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**Case No.: 4:23-CV-00077-BO**

**DECLARATION OF CATHERINE COLLINS**

I, Catherine Collins, declare that the following is true and based upon my first-hand knowledge unless otherwise indicated:

1. I am a resident of California, am above the age of eighteen years, and am not subject to any legal disabilities. I make the following statements on my personal knowledge.

2. I am currently a Manager of Customer Success at Twic, Inc., the defendant in this lawsuit. I started with Twic in 2020 as a Senior Customer Success Manager, and was promoted to my current role about ten months later.

3. The Customer Success Team works to support Twic's customers. We are the relationship builders with our customers. We answer questions they have, help them with their needs, and find ways to enhance their experience with our company and products. This can include quarterly business reviews where we review their metrics and how their program is running; and discussing how they can optimize their plan to make sure that their employees are getting the most value they can out of their benefits. If there are customer concerns, we deal with the concerns that need to be escalated.

4. When I joined Twic in 2020, we were using the brand TWIC. In 2022, we changed our brand name to FORMA. As we approached our official brand launch, I participated in our process to ensure our customers were contacted about the upcoming name change.

5. As part of our work to inform our customers about our rebranding process, my teammate at the time, Leanne Pozzi, provided our team with sample emails to provide to customers and a timeline for when those emails should be sent. Attached to my declaration at Exhibit A is a true and accurate copy of these materials.

6. The new FORMA brand included a new logo. A copy of the logo we began using with the rebrand (and still use) is shown below:



7. The brand launch for the rebrand occurred around March 7-8, 2022. After the rebrand, we used FORMA for the name of our products and services when we engaged with customers.

8. In late spring and early summer 2022, I learned that a company called FormaAI had received communications from employees who worked at some of our customers. Leanne Pozzi and I were asked to contact the customers whose employees emailed FormaAI to learn what had happened. Our outreach included outreach by phone and by email.

9. Two of the customers whose employees emailed FormaAI asking questions about how to use Twic's services were Grammarly and Rubrik. When we reached out to these customers, we learned that there was an error in the benefits support email address that was provided to these companies' employees. When Twic used the TWIC brand, we used the

domain [www.twic.ai](http://www.twic.ai) for our website and the email address [support@twic.ai](mailto:support@twic.ai) for our benefits support email address. When we rebranded to FORMA, our domain became [www.joinforma.com](http://www.joinforma.com) and our benefits support email address became [support@joinforma.com](mailto:support@joinforma.com). Unfortunately, when updating the materials they gave their employees, Grammarly and Rubrik changed the word “twic” to “forma” in some materials. This caused the materials to list the benefits support email address as [support@forma.ai](mailto:support@forma.ai). We worked with Grammarly and Rubrik to get the materials updated to list the correct contact information.

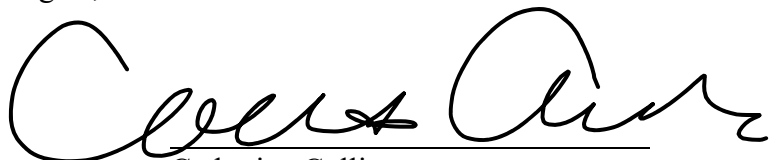
10. We also reached out to Clari, Clever, National Wildlife Federation, and Liftoff about emails their employees sent to FormaAI. We did not receive the results of their investigation into those emails.

11. Other than the communications identified by FormaAI in its interrogatory responses, I am not aware of communications sent to FormaAI that were intended for Twic. I am not aware of any communications sent to Twic that were intended for FormaAI.

12. Before I was asked to reach out to customers whose employees contacted FormaAI, I had not heard of “Forma AI Inc.” or “FormaAI.”

I declare under penalty of perjury that the forgoing is true and correct.

Executed on this the 9th day of August, 2024.



Catherine Collins

### CERTIFICATE OF SERVICE

I hereby certify that on this the 9<sup>th</sup> day of August, 2024 a true copy of the foregoing **DECLARATION OF CATHERIN COLLINS** was filed with the clerk of court using the CM/ECF system, which will send notification by electronic mail of such filing to all counsel of record.

By: /s/ Emily M. Haas  
Emily M. Haas  
NC State Bar No. 39,716  
4509 Creedmoor Road, Suite 501  
Raleigh, North Carolina 27612  
Telephone: (984) 220-8750  
Facsimile: (877) 398-5240  
Email: [emhaas@michaelbest.com](mailto:emhaas@michaelbest.com)

*Attorney for Twic, Inc.*

**Table of Contents:**

- **Email 1A:** mass email to all customers (2/16 @11am local time)
- **Email 1B:** mass email to brokers (2/16 @11am local time)
- **Email 2:** individual IM/CS follow up (2/18 @10am local time)
- **Email 3:** individual IM/CS material send (2/28 @10am local time)
- **Email 4:** mass email to all customers & brokers (3/7 @11am local time)

**Email 1A: Initial reach out to customers informing them of upcoming rebrand (all customers)**

- **Date:** 2/16/22
- **Distro List:** all customers (to link)
- **Sender:** Leanne from Twic
- **Send and reply to email :** marketing@twic.ai
- **Subject:**
  - A sneak peek of Twic's rebranding
  - Twic's rebranding is underway
- **Copy:**

Hi [INSERT NAMES],

*We are writing with exciting news that Twic will be changing our company name as part of our rebranding strategy!*

*A formal announcement will be sent once the change is active on 3/7/2022, but as a valued partner, we wanted you to hear from us first before the general public.*

*5 years ago Jason and Max created Twic - "The Wellness Intelligence Company" with the mission of making wellness programs flexible for its users. Our product has since evolved and grown at such an exponential speed that a rebrand would better reflect our identity as we onward into our next chapter - helping our customers deliver benefits that flex to fit everyone's life!*

*We would love for you to celebrate this exciting news with us together! After the announcement on 3/7/2022, we'll deliver a special gift box with our new logo as a way to thank you for your trust, support and partnership. **Please fill out this form HERE no later than 2/23 so we can ship this package to you on time!***

*We appreciate your partnership and support as we continue to grow together! Please don't hesitate to reach out if you have any questions.*

*Best,*

*Leanne Pozzi  
VP of Customer Experience*

**Email 1B: *Initial reach out to customers informing them of upcoming rebrand (all brokers)***

- **Date:** 2/16/22
- **Distro List:** all brokers (to link)
- **Sender:** Leanne from Twic
- **Send and reply to email :** marketing@twic.ai
- **Subject:**
  - A sneak peek of Twic's rebranding
  - Twic's rebranding is underway
- **Copy:**

*Hi [INSERT NAMES],*

*We are writing with exciting news that Twic will be changing our company name as part of our rebranding strategy!*

*A formal announcement will be sent once the change is active on 3/7/2022, but as a valued partner, we wanted you to hear from us first before the general public.*

*5 years ago Jason and Max created Twic - "The Wellness Intelligence Company" with the mission of making wellness programs flexible for its users. Our product has since evolved and grown at such an exponential speed that a rebrand would better reflect our identity as we go onward into our next chapter - helping our customers deliver benefits that flex to fit everyone's life!*

*We would love for you to celebrate this exciting news with us together! We'll be hosting an exclusive webinar for brokers with our CEO Jason on 3/3/2022 at 12 pm PT. [Sign up here.](#)*

*We appreciate your partnership and support as we continue to grow together! Please don't hesitate to reach out if you have any questions.*

Best,

Leanne Pozzi  
VP of Customer Experience

**Email 2: CS/IM reach out to customers informing them of rebrand (all live/implementation customers)**

- **Date:** EOD 2/18
- **Distro List:** all customers (to link)
- **Sender:** CSM / IM
- **Subject:** (forward Email 1)
- **Copy:**

Hi [INSERT NAMES],

*I hope you're doing well! I wanted to forward this message from our team to ensure that you were aware of the name update for Twic, expected 3/7/22. If you haven't already, we recommend sharing this information with your benefits leadership team and colleagues.*

*This is a really exciting update and we also know it has impacts to your team and employees. Ahead of the public announcement, I will provide a few helpful resources for your use internally on 2/28/22:*

- *Confirmation of the new name*
- *New company logo*
- *Updated Employer Sponsored flyer*
- *Updated "intro to Twic" email template*
- *We will also provide a communication template for you to message to your employees so that they are aware of Twic's new name and how to continue accessing their benefits. We would like you to deliver this communication to maximize engagement within your organization but I can definitely support you for any upcoming questions.*

*We know that there are likely some technical questions top of mind as well. Below are a few of the FAQs we have received so far, and we will be sharing more information as the date gets closer:*

- *We are not changing our legal name, so there are no implications for accounting or payroll.*

- Single Sign On (SSO) will not need to be reconfigured on the technical side. The tile image will be updated with our new name and logo on a rolling basis based on the development schedules of Google and Okta. If employees login directly via our website, they will automatically be re-routed to our new domain once live.
- There's no need to re-download the Twic Mobile App right now. It will simply be re-branded in the near-term. We aim to launch a new app at some point this year and employees will be prompted in-app to download the new app. No immediate change, though!
- Your program policy will automatically be updated to reflect the new branding.
- We will have a new Support email for employees that will be shared once the new name is public. Rest assured, though, the existing email ([support@twic.ai](mailto:support@twic.ai)) will re-route to the new inbox automatically.

*If you have any questions, please feel free to reach out - I'm here to help as we navigate this update together!*

*Best,*

**CSM / IM name**

*P.S. Please make sure you fill out [this form](#) before 2/23 to receive a special gift box with our new logo in March!*

### **Email 3: CS/IM reach out to customers with member email (all customers)**

- **Date:** 2/28/2022
- **Distro List:** all customers
- **Sender:** CSM / IM
- **Subject:** (forward Email 1)
- **Copy:**

*Hi there,*

*As promised, I wanted to follow up to confirm our new company name! I'm excited to share that Twic is now **Forma**! This change will be publicly announced on 3/7/22.*

*I've attached some helpful resources to aid your internal communication around this change. If there are additional things that would be helpful ahead of the platform change on 3/7 please let me know!*

- Forma logo ([link](#))
- Forma Employer Sponsored flyer ([link](#))
- Intro to Forma email template ([link](#))



- Email/Slack messaging that you can use to share our new name, why we went through a rebranding and what it means to your employee's experience ([link](#))

We will also have in-app messaging for employees starting on 3/7 to raise awareness to the rebranded look and feel.

Please let me know if there is anything I can do to help your team with this change.

Best,

NAME

#### **Email 4: Launch day email (all customers + brokers)**

- **Date:** 3/7/2022
- **Distro List:** all customers/brokers ([to link](#))
- **Sender:** Leanne from Twic Forma
- **Send and reply to email:** marketing@twic.ai
- **Subject:** Twic is now Forma!
- **Copy:**

Hi there,

We are excited to share the news that Twic is now Forma! [Check out this 3 minute video](#) to hear from our co-founders Jason and Max talking about the story behind this rebranding.

Employees can still continue to access benefits at [www.joinforma.com](http://www.joinforma.com) and reach out to [support@joinforma.com](mailto:support@joinforma.com) if they have any questions or needs.

If you are submitted to receive our branded gift box, expect it to deliver within the next two weeks! Once the package is shipped you will receive another message for tracking your package.

Thank you!

Leanne from The Forma team  
VP of Customer Experience

P.S. On April 11, [Josh Bersin](#) and Jason will be hosting a webinar to talk about how Forma is going to reshape our future of employee benefits. [Register here](#) to hear our story of entering a new era of employee benefits!